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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF ARIZONA

10 United States of America,
11 Plaintiff,
12 vs.
13 David Allen Harbour,
14 Defendant.

CR- 19-00898-PHX-DLR(DMF)
NOTICE OF EXPERT WITNESSES

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16 Pursuant to the Federal Rules of Criminal Procedure, Rule 16(a)(1)(G) and the
17 Scheduling Order (Doc. 39)¹, the United States, by and through undersigned counsel, gives
18 notice of its intent to use expert witness testimony under Rules 702, 703, or 705 of the
19 Federal Rules of Evidence during its case-in-chief at trial.

20 **I. Jeanette Paige, CPA, CFE, Forensic Accountant, FBI Phoenix Division**

21 Ms. Paige is an accounting expert and may testify to various accounting summaries
22 and other examinations of the accounting and bank records attributable to David Allen
23 Harbour (“Harbour”) and his various entities. She is in the process of summarizing how
24 the accounting and bank records dealt with the flow of funds to and from investors,

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27 ¹ The scheduling order required the government file the expert notice on December
28 17, 2019. (*Id.*) Unfortunately the date of the notice was not calendared correctly. The
government requests leave for a ten day extension of the filing date. The government
emailed defense counsel, Alan Baskin, to ascertain his position on this motion but due to
the holiday week he was understandably unavailable.

1 borrowers, related entities, financial institutions, and principal participants. These
2 summaries will set forth the flow of funds from individuals (including victims) and entities
3 how those funds were loaned or expended by Harbour for personal expenses, and the source
4 of funds to which repayments, if any, were made to certain victims. These summary
5 analyses shall be provided to defense counsel through discovery and separate
6 communications. Ms. Paige's CV is attached as Exhibit A.

7 **II. Kurt Hemphill: Computer CART Analyst, FBI**

8 Mr. Hemphill was responsible for acquiring and analyzing certain computer
9 evidence from multiple laptops, tablets (such as iPads), cellular telephones and storage
10 devices (such as thumb drives) obtained from Harbour's residence. He will testify to the
11 forensic protocols and tools he employed in analyzing the devices.

12 At trial, Mr. Hemphill will also explain the process of extracting data from cellular
13 telephones and digital tablets, including SIM cards and other removable memory cards
14 associated with cellular telephones. Mr. Hemphill's testimony will include examination
15 details that include a digital forensic examination to recover data stored within the
16 aforementioned digital devices. In sum, Mr. Hemphill's testimony will include the process
17 by which he extracted relevant information from the subject phones and computers and
18 provided that information to investigating agents. Mr. Hemphill's qualifications shall be
19 provided to defense counsel through discovery and separate communications.

20 Respectfully submitted this 27th day of December, 2019.

21 MICHAEL BAILEY
22 United States Attorney
23 District of Arizona

24 s/ Kevin M. Rapp
25 KEVIN M. RAPP
26 Assistant U.S. Attorney
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s/Angela Schuetta
U.S. Attorney's Office